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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,535	09/30/2003	Keiichi Ikebe	6453P010	8316

8791 7590 07/18/2007
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER

GE, YUZHEN

ART UNIT	PAPER NUMBER
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2624

MAIL DATE	DELIVERY MODE
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07/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/676,535	Applicant(s) IKEBE ET AL.	
	Examiner Yuzhen Ge	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48-51 is/are rejected.
- 7) ☐ Claim(s) is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/21/07</u> . | 6) <input type="checkbox"/> Other: _____ |

Examiner's Remark

Applicant's amendment, filed on June 14, 2007, has been received and entered into the file. All the claims pending in the previous office action are canceled. Claims 48-51 are new and pending.

DETAILED ACTION

Claim Objections

1. Claims 48-49 and 50-51 are objected to because of the following informalities: claims 48 and 50 recite, "decompose/decomposing the raw image data into a plurality of plane data such that each plant data includes pixel information of the same color". The examiner will interpret "plant data" as "plane data". Appropriate correction is required. Furthermore, the examiner thinks that "a" should be inserted before the phrase "compression and encoding unit" in claim 48.

Claim Rejections - 35 USC § 112

2. Claims 49 and 51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 49 recites the limitation "wherein the controller determines whether...according to the result of the determination". There is insufficient antecedent basis for this limitation in the claim. The examiner will interpret the limitation as "wherein the controller determines a result whether... according to the determined result". Claim 51 recites the limitation "determines whether...; setting...according to the result of the determination". There

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is insufficient antecedent basis for this limitation in the claim. The examiner will interpret the limitation as “determines a result whether...; setting... according to the determined result”.

Claim Rejections - 35 USC § 102

3. Claims 48 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugimori (US Patent 6,958,772 B1).

Regarding claim 48, Sugimori teaches a color imaging device comprising:

an imager to generate an image with color decomposition, the imager producing raw image data as a result of generating the image (Figs. 1, 3-6, 9, 15-16 and 18, col. 5, lines 36-60, col. 11, lines 31-54);

a decomposing unit to decompose the raw image data into a plurality of plane data such that each plane data includes pixel information of the same color (Figs. 1, 3-6, 9, 15-16 and 18, col. 11, lines 31-54);

compression and encoding unit to compress the plane data of each color divided by the decomposing unit with an irreversible compression process (Figs. 1, 3-6, 9, 15-16 and 18, col. 5, lines 61-63, col. 6, lines 10-14, col. 9, lines 63-67, col. 10, lines 58-61, col. 12, lines 41-47, col. 14, lines 15-22, col. 15, lines 32-37, thinning can be regarded as one type of compression, JPEG is also an irreversible compression process);

a controller to control a compression ratio of the irreversible compression process conducted by the compression and encoding unit for the plane data of each color independently with each other (Figs. 1, 3-6, 9, 15-16 and 18, col. 5, lines 61-63, col. 6, lines 10-14, col. 9, lines

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63-67, col. 10, lines 58-61, col. 12, lines 41-47, col. 14, lines 15-22, col. 15, lines 27-37, thinning can be regarded as one type of compression and the ratio is set independently for each color, that is, the ratio is set not based on the ratios of other color planes, also in JPEG the quantization matrices can be different for Y and U, V planes can be set independently); and

an information acquisition unit to acquire an evaluation value of white-balance from the raw data (Figs. 1, 3-6, 9, 15-16 and 18, see the box labeled "White Balance", col. 15, lines 27-30).

Claim 50 is the corresponding method claim of claim 48. Sugimori teaches a method (title and abstract, Figs. 1, 3-6, 9, 15-16 and 18). Thus Sugimori teaches claim 50 as evidently explained in the above-cited passages.

Allowable Subject Matter

4. Claims 49 and 51 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to teach the listed claims each of which specifically comprises the following listed feature(s) in combination with other limitations:

-- compressing the plane data of each color with an irreversible compression process; controlling a compression ratio of the irreversible compression process for the plane data of each color independently with each other; and determining a result whether a proportion of a color

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component is large or small based on the evaluation value of white-balance, and setting the compression ratio of the color plane according to the determined result.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuzhen Ge whose telephone number is 571-272 7636. The examiner can normally be reached on 7:30am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yuzhen Ge
Examiner
Art Unit 2624

WENPENG CHEN
PRIMARY EXAMINER


6/28/07